

Exhibit A
Summary Judgment Scheduling ORDER

The parties to the above-styled action have been given a deadline for the filing of dispositive motions. Any motion for summary judgment will be due on or before that deadline,¹ and the schedule for submissions in support of and in opposition to the motion will proceed as set out in this ORDER. As set forth below, the motion will be deemed submitted for decision **35 days** after it is filed. The following schedule and requirements for the submission of briefs and supporting or opposing materials are established:

1. The moving party shall file the brief and evidentiary materials (affidavits, exhibits, deposition excerpts, etc.) with the clerk simultaneously with the motion for summary judgment.
2. The opponent shall file with the clerk the brief and all evidentiary materials in opposition to the motion not later than **21 days** thereafter.
3. Movant's reply brief, if any, shall be filed with the clerk and served on the opposing party, within **14 days** after the date on which the opponent's responsive submission was due.

The parties shall transmit their submission in such a manner that their opponents will not suffer any undue delay in the receipt of their service copies of any submission. Counsel are expected to take care that service of copies is not delayed.² Upon conclusion

¹ Should this date, or other scheduling dates, contained in this ORDER fall on a Saturday, Sunday, or legal holiday (as defined in FED. R. CIV. P. 6(a)), the time period shall be extended until the next working weekday.

² Every effort should be made by the movant for the opposing party to **receive** a copy of all materials **on the date** the submission is made to the Court. In any event, the movant is **required** to insure that the opposing party receive a copy of all submitted material no later than one day after submission is made to the Court.

of the submission schedule, the Court will take the motion under submission without further notice to the parties. Any material submitted after the close of the submission schedule **WILL NOT BE CONSIDERED IN RULING ON THE MOTION.**

Briefs (including any opposition or reply briefs) must be submitted to the Clerk of the Court. Oral argument may be granted, in the Court's discretion, **upon written request of counsel.** Requests for oral argument must be **separately submitted and received** in the Court's chambers by the last submission date; however, argument will not be granted unless the Court deems it would be helpful to resolution of the issues presented. If oral argument is granted, all parties will be notified of the date, time and place of the hearing. In the event oral argument is not granted, the Court will rule on the motion for summary judgment, upon written submissions alone as soon as practicable after the deadlines shown above.

Movant's initial brief shall be limited to a MAXIMUM OF 25 PAGES. Respondent's brief shall be limited to a MAXIMUM OF 25 PAGES. Movant's reply brief is limited to 10 pages and to a rebuttal of the issues raised by the Respondent.

ANY BRIEF VIOLATING THESE RULES WILL BE SUMMARILY STRICKEN.

(REVISED 11/16/09)